



27/ Notice of Appeal

PTO/SB/31 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

0055.00

In re Application of Schutt et al., et al.

Application Number
09/218,213

Filed
December 22, 1998

For STABILIZED PREPARATIONS FOR USE IN NEBULIZERS

Group Art Unit
1615

Examiner
S. Tran

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 11/16/00, rejecting the following claims: 2, 6-12, 39, and 43-55

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 310.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____.
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 500348. I have enclosed a duplicate copy of this sheet.
- ☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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I am the

- ☐ applicant.
- ☐ assignee of record of the entire interest.
- ☒ attorney or agent of record.
- ☐ attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a): _____.



Signature

Michael J. Rafa

Typed or printed name

May 14, 2001

Date

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